

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KRYSTAL PRIDE,

Plaintiff,

v.

CITY OF PHILADELPHIA, *et al.*,

Defendants.

CIVIL ACTION
NO. 17-3400

ORDER

AND NOW, this 11th day of April, 2018, upon consideration of Defendants' Motion to Dismiss, (ECF No. 4), and Plaintiff's Response (ECF No. 8), it is hereby **ORDERED** that Defendants' Motion is **GRANTED**.

1. Count II against the City and Rodriguez in his official capacity is **DISMISSED** with prejudice. Count II against Rodriguez in his individual capacity is **DISMISSED** without prejudice.
2. Counts III and IV against Rodriguez in his official capacity are **DISMISSED** with prejudice. Counts III and IV against Rodriguez in his individual capacity are **DISMISSED** without prejudice.
3. Count V against the City and Rodriguez are **DISMISSED** without prejudice.
4. Plaintiff must file her amended complaint on or before **April 25, 2018** or the case may be dismissed.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.